

TENTATIVE DRAFT

NOTE: It is requested that suggested corrections be sent to the
Office of the Secretary, San Francisco, as soon as possible.

MINUTES

BOARD OF GOVERNORS MEETING

SANTA BARBARA

OCTOBER 19 - 20, 2001

The Board of Governors of the State Bar of California convened in the Mural Room of the Santa Barbara County Superior Court, 1100 Anacapa Street, Santa Barbara, CA 93102, on Friday, October 19, 2001, at 12:45 p.m., Karen S. Nobumoto presiding.

The following members of the Board of Governors were present: Anthony P. Capozzi, Matthew E. Cavanaugh, Judith M. Copeland, Patrick R. Dixon, Janet M. Green, James E. Herman, Joe R. Hicks, Scott H. McNutt, Robert K. Persons, Russell Roeca, Windie O. Scott, James C. Sherwood, John G. Snetsinger, Maria D. Villa, Marie Weiner, Scott Wylie, Erica R. Yew and Nancy J. Hoffmeier-Zamora.

The following members of the staff were present: Starr Babcock, Kathleen Beitiks, Jerome Braun, Larry Doyle, Jann Dorothy, Scott Drexel, Robert A. Hawley, David Jensen, Judy Johnson, Dean Kinley, Nancy McCarthy, Marie M. Moffat, Mike Nisperos, Sam Quan and Victor Rowley.

Also present: Ronald E. Albers, immediate past vice president and Board member; Michael Corbett, Legislative Advocate, Sacramento; Don DeBenedictis, *Los Angeles Daily Journal*; Stephen Marsh, Chair, Executive Committee, Conference of Delegates; Mike McKee, *The Recorder*; Gloria Megino Ochoa, Counsel, Senate Judiciary Committee, State Capitol, Sacramento; Terrence Paret, Senior Consultant and Project Manager, Wiss, Janney, Elstner Associates, Inc.; Jon Waldie, Chief Administrative Officer, State Assembly, Assembly Rules Committee, State Capitol, Sacramento; and Gene W. Wong, Chief Counsel, Senate Judiciary Committee, State Capitol, Sacramento.

10 Upon motion made, seconded and unanimously adopted, it was

RESOLVED that the minutes of the meeting of the Board of Governors held on July 27-28, 2001, in Los Angeles, hereby are approved as amended.

- 10 Upon motion made, seconded and unanimously adopted, it was
- RESOLVED** that the minutes of the special meeting of the Board of Governors held on August 8, 2001, in San Francisco, hereby are approved as written
- 10 Upon motion made, seconded and unanimously adopted, it was
- RESOLVED** that the minutes of the Organization Meeting of the Board of Governors held on September 9, 2001, in Anaheim, hereby are approved as written
- The roll-call vote was taken and upon motion made, seconded and unanimously adopted it was
- RESOLVED** that the roll-call vote will be substituted for the vote unless otherwise noted.
- All members present and recorded on the roll-call slip voted yes on the above matter.
- 30 The President reported on the following:
1. Mr. Capozzi has been appointed to serve as a member of the Board Legal Committee and will no longer serve on the Board Committee on Regulation and Discipline;
 2. On behalf of the Board, she thanked Mr. Herman for his outstanding contributions in organizing this planning meeting of the Board, and stated that she and the members of the Board were looking forward to the District 6 reception scheduled for Friday night, October 19, which he also arranged.
- 41 The Executive Director reported on the following:
1. The Applicant Evaluation Nomination Committee is on track with the November 1, 2001, deadline regarding recommendations to the Supreme Court of applicants for appointment as judges to the State Bar Court.
 2. Potential candidates are currently being interviewed for the position of Director of the State Bar's Lawyer Assistance Program; recruitment and solicitation of members for appointment to the Attorney Diversion and Assistance Program Oversight Committee in December are on track.
 3. The Bar is providing support and legal assistance to the families of victims whose lives were so tragically devastated by the despicable acts of terrorism that took place against the nation on September 11 of this year.
- 54-111 Upon motion made, seconded and unanimously adopted, it was
- RESOLVED**, upon recommendation of the Board Committee on Administration and Finance, that the Board hereby amends the Board Committee on Administration and Finance Charter, in the form attached to these minutes and made a part hereof, and that this document supersedes the previous one as of the day approved by the Board.

All members present and recorded on the roll-call slip voted yes on the above matter.

54-121 Upon motion made, seconded and unanimously adopted, it was

RESOLVED, upon recommendation of the Board Committee on Regulation and Discipline, that the Board hereby adopts the proposed amendments to the charter of the Board Committee on Regulation and Discipline, in the form attached to these minutes and made a part hereof.

All members present and recorded on the roll-call slip voted yes on the above matter.

54-122 The following is the report of action taken by the Board via fax poll on July 24, 2001:

Upon motion made, seconded and adopted, it was

RESOLVED, that the Board hereby amends section 2 of Rule 17 of the Rules Regulating Admission to the Practice of Law in California as follows:

Rules Regulating Admission to the Practice of Law in California

Rule 17

. . .

Section 2. Definitions.

(a) A person has a disability for purposes of this rule if he or she:

(1) Has a physical or mental impairment that ~~substantially~~ limits one or more of an applicant's major life activities and ~~substantially~~ limits an applicant's ability to demonstrate under standard testing conditions that he or she possesses the knowledge, skills and abilities tested on the examinations administered by the Committee; and . . .

54-131 Upon motion made, seconded and unanimously adopted, it was

RESOLVED, upon recommendation of the Board Committee on Member Relations and Communications, that the proposed position in support of increased funding for the Equal Access Fund is within the parameters established by the United States Supreme Court in *Keller v. State Bar of California*; and it is

FURTHER RESOLVED that the Board hereby joins with the Judicial Council in seeking an increase of \$5 million for the Equal Access Fund for fiscal year 2002-2003, offers the bar's support to the council in doing so, and supports inclusion of a total funding level of \$15 million for the Equal Access Fund in the California Budget Act.

All members present and recorded on the roll-call slip voted yes on the above matter.

54-132 Upon motion made, seconded and unanimously adopted, it was

RESOLVED, upon recommendation of the Board Committee on Member Relations and Communications, that the Board hereby approves the following charter of the board committee:

A. Mission

The Board Committee on Member Relations & Communications (hereinafter “BCMRC” or the “committee”) is charged with the responsibility of:

1. enhancing the services the State Bar provides to members of the Bar, particularly attorneys in small firms and solo practice, and ensuring that those services “add value” to members in their practice;
2. improving communication with its stakeholders (e.g., bar members, the judiciary, and the general public); and
3. formulating policies and objectives for the bar’s legal services activities, in furtherance of the State Bar goal to “assure full and equal access of all persons, regardless of circumstances, to the legal system and the delivery of quality legal services.”

B. Scope of Board Committee’s Work:

In addition to the general activities described in the mission, the scope of the work of the Board Committee on Member Relations & Communications also includes the following specific activities:

1. serving as editorial board for the *California Bar Journal*;
2. considering reports on minimum continuing legal education (“MCLE”) as they relate to member relations;
3. considering issues involving the unauthorized practice of law, balancing issues of consumer harm with the need to improve access to justice;
4. selecting and recommending award recipients;
5. considering new ways the Bar may help in providing services to solo and small firm attorneys, and coordinating and publicizing these efforts;
6. considering policies and services involving group insurance programs and risk management issues for our members;
7. considering ways to increase access to justice and improve delivery of legal services to low and moderate income Californians;
8. considering ways to expand lawyer referral and information services; and
9. reviewing and making recommendations to the Board of Governors on all relevant policy matters in the areas of member relations, communications, insurance, legal

services, and all other areas of Board committee responsibility, which require Board action or consent.

All members present and recorded on the roll-call slip voted yes on the above matter.

54-163 Upon motion made, seconded and unanimously adopted, it was

RESOLVED, upon recommendation of the Board Committee on Legislative and Court Relations, that the Board hereby takes the following action with respect to the 2001 Affirmative Legislative Proposals of Sections and Committees

Business Law Section Proposals

(1) Corporations: Supermajority Voting Requirements **(BLS1)**

Corporations Code §710 applies to a corporation that has 100 or more shareholders, and files as amendment that contains a “supermajority vote” provision. A “supermajority vote” (under this section) cannot exceed 66 2/3 % of the corporation’s outstanding shares. Would clarify several ambiguities by eliminating two clauses in Sec. 710 (a) and change the word “securities” to the word “shares” in 710(a)(3).

Approves for section legislative program.

(2) Corporations: Technical Corrections **(BLS2)**

Proposal to amend the Corporate Securities Law pertaining to exemptions to usury provisions (Article 15, California Constitution). Specifically, to correct an error caused by AB 244 (2000), and for clarification purposes, this proposal would add the words “and” or “or” to Corporations Code Sections 25118 (a) (1), 25118 (9) (2) (A); and 25120 (b).

Approves for section legislative program.

(3) Insurance Law: Technical Amendment **(BLS3)**

Proposes adding a technical amendment to §§12114(a) of the Insurance Code that would correct a drafting error made by AB 3799 (1990) that set forth a comprehensive scheme for regulating financial guarantee insurance. In addition, the proposed legislation would conform California law to the Model Act promulgated by the National Association of Insurance Commissioners.

Approves for section legislative program.

Estate Planning, Trust & Probate Law Section Proposals

(1) Prohibitions Against Transfers to Specified Persons: Corrections & Reform **(EPTPL1)**

Probate Code §21350 identifies certain persons who are prohibited from

receiving a transfer via will, trust, or similar instrument (e.g., the person who drafts the instrument). Probate Code §§21351 sets forth exceptions to these prohibitions (e.g., the person who drafts the will may be a transferee if he/she is the spouse of the testator). This proposal would make several corrective changes to this list of exceptions.

Approves for section legislative program

(2) Shortened Time Periods for Trustee Releases (**EPTPL2**)

Would specify in statute that clauses in trust agreements purporting to release a trustee from liability if he/she submits an account or report to the beneficiaries and no objection is received within a specified time period are enforceable, so long as that time period is 120 days or longer. There currently is no statutory authority on the issue, and judicial enforcement is inconsistent.

Approves for section legislative program

(3) Enforcement of No Contest Clause (**EPTPL3**)

Proposes to clarify provisions of Probate Code §§21305 relating to “No Contest Clauses” by further clarifying the definition of such terms as “direct contest” and “contest,” correcting the mis-use of the term “petition” where “pleading” was intended and appropriate, etc. Follow-up to an EPT&PL Section-sponsored proposal enacted as part of AB 1491 (Kaloogian) of 2000

Approves for section legislative program.

(4) Consolidated Trial for Property Questions (**EPTPL4**)

Seeks to provide consistency in the application of the law by making it clear in statute that the court does have discretion to waive or reduce bond for trustees not named in the trust instrument. Would also expand the class of persons who can ask that a bond be required to “interested persons” (as defined in Probate Code §§48) rather than just “beneficiaries.”

Approves for section legislative program

Taxation Section Proposals

(1) Franchise Tax Board (FTB) deficiency assessments (**TXN1**)

This proposal would clarify that the FTB can raise all appropriate set-offs, and that FTB can process final federal determinations without prejudice from a prior court action for a particular taxable year. Pertains to res judicata and Pope Estate v. Johnson, 43 Cal. App. 2d170.

Approves for section legislative program

All members present and recorded on the roll-call slip voted yes on the above matter.

54-171 Upon motion made, seconded and unanimously adopted, it was

RESOLVED, upon recommendation of the Board Committee on Appointments, that the Board hereby amends the charter of the Board Committee on Appointments as follows:

§1. Committees, Sections, and External Entities

The board committee, or its successor, is responsible for coordination of all nondisciplinary appointments. The board committee recommends to the Board of Governors all nondisciplinary committee appointments for the upcoming State Bar year and replacements for vacancies in standing committees, special committees, boards or commissions, section executive committees, or external entities that occur during the year, ~~with the following exceptions:~~

~~(1) Appointments to committees, commissions and boards overseen by the Board Committee on Regulation and Discipline or its successor.~~

~~(2) Appointments to external entities overseen by the Board Committee on Member Relations and Communications or its successor.~~

~~(3) Appointments to committees, commissions and boards overseen by the Board Committee on Administration and Finance or its successor.~~

(Initial charter adopted by the Board of Governors April 1985; amended August 1991, May 1995, February 2000)

All members present and recorded on the roll-call slip voted yes on the above matter.

120 Mr. Dixon, Chair, Board Committee on Regulation and Discipline, gave a status report on the discipline system.

130 Mr. McNutt, Chair, Board Committee on Member Relations and Communications, reported on the work of the committee, and stated that plans are underway for the Members Services Center, the Mid-Year Meeting in March 2002 and the outreach by Board members to the various bar associations in their districts.

140 Mr. Herman, Chair, Board Planning Committee, reported on the following: The Strategic Action Plan; governance program; board structure, its goals and vision; and the issue of the president-elect system.

150 Mr. Persons, Chair, Board Legal Committee, gave a status report on the work of the committee.

151 Upon motion made, seconded and adopted, it was

RESOLVED, upon recommendation of the Board Legal Committee, that the Board hereby authorizes the General Counsel, or her designee, to file an amicus curiae brief in *Chambers v. Kay* (Supreme Court No. S098007, Court of Appeal, First Appellate

District, Case No. A091362, San Francisco Superior Court, Case No. 303 824); and it is

FURTHER RESOLVED that the brief will request that the Supreme Court affirm the holding of the First Appellate District by holding that (1) the parties violated Rule 2-200; (2) Rule 2-200 is not limited to cases involving referral fees but rather applies to any fee-splitting arrangement between a member and a lawyer who is not a partner of, associate of, or shareholder of that member; and (3) plaintiff and petitioner Chambers does not qualify as an “associate” of Kay, and thus is not removed from the ambit of Rule 2-200, because Chambers does not fit the definition of the term associate (“an employee or fellow employee who is employed as a lawyer”) as set forth in Rule 1-100(B)(4) and as correctly applied by the First Appellate District; and it is

FURTHER RESOLVED that the State Bar will not take a position on the quantum meruit issue presented on review and whether the fee-splitting agreement at issue is enforceable notwithstanding a finding that it is in violation of Rule 2-200.

All members present and recorded on the roll-call slip voted yes on the above matter, except Mr. Cavanaugh, Ms. Copeland and Mr. Sherwood who voted no, and Mr. Roeca and Mr. Snetsinger who abstained from voting, and requested the record so to show.

110 Ms. Villa, Chair, Board Committee on Administration and Finance, introduced Terrence Paret, Senior Consultant and Project Manager of Wiss, Janney, Elstner Associates, Inc., who made a brief seismic presentation to the Board.

112 Upon motion made, seconded and adopted, it was

RESOLVED, upon recommendation of the Board Committee on Administration and Finance, that the Board hereby maintains the \$35.00 assessment level for the Client Security Fund at \$35.00 for years 2002-2003; and it is

FURTHER RESOLVED that for future years, the proper assessment shall be adjusted as appropriate, depending on funding requirements.

Voting yes: Ms. Green, Mr. Herman, Mr. Hicks, Mr. McNutt, Mr. Persons, Ms. Scott, Ms. Villa, Ms. Weiner, Mr. Wylie, Ms. Yew and Ms. Zamora.

Voting no: Mr. Cavanaugh, Ms. Copeland, Mr. Dixon, Mr. Roeca, Mr. Sherwood and Mr. Snetsinger.

113 Upon motion made, seconded and adopted, it was

RESOLVED, upon the recommendation of the Board Committee on Administration and Finance, that the Board hereby adopts the State Bar operating budget for all funds for the year 2002 in the form attached to these minutes and made a part hereof; and it is,

FURTHER RESOLVED that as of January 1, 2002, a new restricted fund be created for the newly created Attorney Diversion and Assistance Program; and it is,

FURTHER RESOLVED that the purpose of the fund is to capture the \$10 mandatory fee assessed to all active State Bar members and dedicate those funds to establish a program that will provide an alternative to the traditional State Bar disciplinary mechanism, with the goal of the program being the identification and rehabilitation of attorneys with impairment due to abuse of drugs or alcohol, or due to mental illness, affecting competency so that attorneys so afflicted may be treated and returned to the practice of law in a manner that will not endanger the public health and safety; and it is,

FURTHER RESOLVED, that as of January 1, 2002, a new restricted fund be created for Certification activities, and that all such activities be transferred from the General Fund to the newly created Certification Fund, and that the purpose of the fund is to administer and regulate the following programs related to the practice of law: Mandatory Continuing Legal Education, Lawyer Referral Services (Certification and Regulation), Law Corporations, Counsel Pro Had Vice, Out-of-state Attorney Arbitration Counsel, Foreign Legal Consultants, Limited Liability Partnerships, Practical Training of Law Students, and Special Masters, with funding provided by fees, penalties or other payments authorized by statute or court rule; and it is

FURTHER RESOLVED that \$300,000 be transferred from the General Fund to the Certification Fund on January 1, 2002, to establish a beginning fund balance for the Certification Fund and to ensure the solvency of the fund in 2002.

All members present and recorded on the roll-call slip voted yes on the above matter, except Mr. Cavanaugh and Mr. Sherwood who abstained from voting and requested the record so to show.

114 Upon motion made and seconded, the following was unanimously adopted:

WHEREAS, representatives of the State Bar of California ("State Bar") and Hospital and Institutional Workers Union, Local 250, SEIU ("Union") have met and conferred pursuant to California Government Code sections 3505 and 3505.1 and the *Rules and Regulations for the Administration of Employer-Employee Relations of the State Bar of California*, with a view to reaching agreement on "reopened" terms of the Memoranda of Understanding for the General and Attorney Bargaining Units to be effective in 2002; and

WHEREAS, representatives of the State Bar and the Union have reached tentative agreement on proposed amendments to the Memoranda of Understanding for the General and Attorney Bargaining Units to be effective in 2002; and

WHEREAS, the *Rules and Regulations for the Administration of Employer-Employee Relations of the State Bar of California* provides at Sections 6.8 and 6.9 that the proposed Memoranda of Understanding be submitted to the Board of Governors for ratification and adoption; and

WHEREAS, the Board Committee on Administration and Finance is charged with Board oversight responsibility for the MOU negotiations;

NOW, THEREFORE, BE IT RESOLVED, upon recommendation of the Board Committee on Administration and Finance, that the Board hereby ratifies and adopts the Memoranda of Understanding amendments for the General and Attorney Bargaining Units in the form discussed this date, to be effective January 1, 2002; and it is

FURTHER RESOLVED, upon the recommendation of the Board Committee on Administration and Finance, that the Board hereby adopts and ratifies the Memoranda of Understanding amendments for the General and Attorney Bargaining Units in the form discussed this date, to be effective January 1, 2002

All members present and recorded on the roll-call slip voted yes on the above matter.

115 Upon motion made, seconded and unanimously adopted, it was

RESOLVED, upon recommendation of the Board Committee on Administration and Finance, that the Board hereby approves that the annual membership fees for 2001 shall be \$390 for active members, and \$50 for inactive members; and it is

FURTHER RESOLVED that the penalties on delinquent 2002 annual membership fees shall be 10 percent and an additional 15 percent of the member's respective fees; and it is

FURTHER RESOLVED that the penalties on delinquent 2001 and 2002 annual membership fees of new admittees who were admitted after January 15, 2001 and 2002, shall be 10 percent and an additional 15 percent of the member's respective unpaid fees; and it is

FURTHER RESOLVED that the rate of interest on assessed costs for reimbursement to the Client Security Fund shall be 10 percent as set forth by the Board, pursuant to Business and Professions Code section 6140.5(c); and it is

FURTHER RESOLVED that the late payment penalties for membership fees be assessed on the following dates:

- A 10 percent penalty on the unpaid balance of the current year's (2002) membership fee as of 5 p.m., on March 15, 2002; and
- An additional 15 percent on the unpaid balance of the current year's (2002) membership fee as of 5p.m., on May 15, 2002; and it is

FURTHER RESOLVED that active members may scale current year's active membership fees based on income from the practice of law in the prior calendar year. The scaling rates are:

1. 25 percent scaling for annual income of less than \$40,000 and
2. 50 percent scaling for annual income of less than \$25,000; and it is

FURTHER RESOLVED that all payments submitted after the Board of Governors has recommended members' suspension for non-payment of fees must be made in certified funds (cash, certified check, money order or cashiers check).

All members present and recorded on the roll-call slip voted yes on the above matter.

160 Ms. Zamora, Chair, Board Committee on Legislative and Court Relations, gave a status report on pending legislation.

170 Mr. Wylie, Chair, Board Committee on Appointments, gave a brief status report on the work of the committee.

172 Upon motion made, seconded and unanimously adopted, it was

RESOLVED, upon recommendation of the Board Committee on Appointments, that the Board hereby amends the changes to Part II of the Appointment Application form, in the form attached to these minutes and made a part hereof.

All members present and recorded on the roll-call slip voted yes on the above matter.

Upon motion made, seconded and unanimously adopted, it was

RESOLVED that the Board hereby authorizes the publication for comments of the proposed *Selection Guidelines for State Bar Appointments to the ABA House of Delegates*, in the form shown below; and it is

FURTHER RESOLVED, pursuant to the *Procedure for Adoption, amendment or Repeal of State Bar Regulations*, section 4, that these guidelines shall be made available for public comment for a period of ninety (90) days.

Selection Guidelines for State Bar Appointments to the ABA House of Delegates

The State Bar shall strive to appoint its delegates from the applicant pool meeting the following guidelines:

One (1) delegate who qualifies as the young lawyer representative;

Up to two (2) delegates to include the most immediate past member of the ABA Board of Governors and any immediate past officer of the ABA from California;

Two (2) members who have not had substantial volunteer experience with the ABA but who possess the leadership and other skills to be successful delegation members; and,

Six (6) delegates who have substantial bar experience, especially with the ABA, and are typical of other State Bar appointments.

Each member of the State Bar's ABA delegation is eligible for reappointment to no more than three (3) two-year appointments or a maximum of six (6) years of service with the delegation. All members will be encouraged to become broadly participant in ABA activities in order to fully represent the interests of California attorneys.

All members present and recorded on the roll-call slip voted yes on the above matter.

Upon motion made, seconded and adopted, it was

RESOLVED, pursuant to Article IIA, sections 3-4 of *Rules and Regulations of the State Bar of California*, that the Board hereby directs that a special election be held in District 3 for the purpose of filling the imminent vacancy on the Board, as soon as practicable; and it is

FURTHER RESOLVED, pursuant to Article IIA, sections 2-3, *Rules and Regulations of the State Bar of California*, the Board hereby determines to appoint an attorney to serve on an interim basis as a member of the Board of Governors for District 3 effective until such time as a successor is elected and qualified.

All members present and recorded on the roll-call slip voted yes on the above matter, except Ms. Yew who abstained from voting, and requested the record so to show.

The Board went into closed session at 4:30 p.m., and those other persons present in the meeting, except the Executive Director and members of the Senior Executive Team, left the meeting.

The Board resumed open session at 4:50 p.m.

The appointments were considered in confidential session and the action of the Board is reported below.

7002
EMERGENCY

Upon motion made, seconded and adopted, it was

RESOLVED, that pursuant to Article IIA, sections 2-3, Rules and Regulations of the State Bar of California, the Board of Governors hereby appoints Ann M. Ravel to serve as a member of the Board of Governors on an interim basis, effective upon taking of the oath of office and until such time as a successor is elected and qualified.

All members present and recorded on the roll-call slip voted yes on the above matter, except Ms. Yew who abstained from voting, and requested the record so to show.

The Board recessed at 5:00 p.m., Friday, October 19, 2001, to meet again on Saturday, October 20, 2001, in the Las Palmas Room, Harbor View Inn, 28 West Carillon Boulevard, Santa Barbara, California, at 9:00 a.m.

The Board of Governors of the State Bar of California reconvened in the Las Palmas Room, Harbor View Inn, 28 West Carillon Boulevard, Santa Barbara, California, at 9:00 a.m., on Saturday, October 20, 2001, Karen S. Nobumoto presiding.

The following members of the Board of Governors were present: Anthony P. Capozzi, Matthew E. Cavanaugh, Judith M. Copeland, Patrick R. Dixon, Janet M. Green, James E. Herman, Joe R. Hicks, Scott H. McNutt, Robert K. Persons, Russell Roeca, Windie O. Scott, James C. Sherwood, John G. Snetsinger, John Van De Kamp, Maria D. Villa, Marie Weiner, Scott Wylie, Erica R. Yew and Nancy J. Hoffmeier-Zamora.

The following members of the staff were present: Starr Babcock, Kathleen Beitiks, Larry Doyle, Robert A. Hawley, Judy Johnson, Dean Kinley, Nancy McCarthy, Marie M. Moffat and Mike Nisperos.

Also present: Ronald E. Albers, Doug Eadie, Laura Goldin, Andrew J. Guilford, Michelle Katz, Stephen Marsh, Matthew St. George, Clara Slifkin, Thomas Stolpman and Gene W. Wong.

701

Upon motion made, seconded and adopted, it was

RESOLVED, upon recommendation of the Strategic Development Program Steering Committee, that the Board hereby accepts the Action Report in principle, hereby establishes a Strategic Development Program for the purpose of overseeing and managing implementation of the Action Report, and hereby authorizes the Strategic Development Program Steering Committee appointed by the Board President to review the Action Report in detail and to recommend implementation priorities and plans to the Board of Governors; and it is

FURTHER RESOLVED, upon the recommendation of the Strategic Development Program Steering Committee, that the Board hereby adopts the Board Governing Mission set forth in the Action Report and directs that it serve as a framework for further developing the Board's governing work, structure, and processes as part of the

State Bar's Strategic Development Program; and it is

FURTHER RESOLVED that the six standing committees recommended in the October 10, 2001, Action Report be adopted as the governing structure of the Board of Governors of the State Bar of California, that the Steering Committee of the State Bar's Strategic Development Program oversee the implementation of the six new committees in 2002, and that implementation of the new committees adhere to the committee descriptions that are set forth in the Action Report.

All members present and recorded on the roll-call slip voted yes on the above matter, except Mr. Cavanaugh who voted no, and requested the record so to show.

The Board adjourned at 1:00 p.m., Saturday, October 20, 2001, to meet again at the call of the President at any time prior to the next regularly scheduled meeting of the Board, or if no such meeting be called, in the Malcolm Lucas Board Room, Administrative Office of the Courts, 455 Golden Gate Avenue, San Francisco, California, at 2:30 p.m., Friday, December 7, 2001.

ATTACHMENTS TO OCTOBER 2001 BOARD MINUTES

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